

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

METAL SALES MANUFACTURING CORPORATION

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:06cv202-HTW-JCS

WERNE & ASSOCIATES, INC.

DEFENDANT

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ORDER OF DISMISSAL

THE PARTIES having agreed to and announced to the Court a settlement of this case, and the Court being desirous that this matter be finally closed on its docket,

IT IS, THEREFORE, ORDERED that this case is hereby DISMISSED WITH PREJUDICE as to all parties. If any party fails to consummate this settlement within thirty (30) days, any aggrieved party may reopen the case for enforcement of the settlement agreement within ten (10) days; and, if successful, all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

This settlement agreement constitutes a global release as to all claims and as to all parties with prejudice.

SO ORDERED, this the 29<sup>th</sup> day of September, 2006.

  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

METAL SALES MANUFACTURING )  
CORPORATION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WERNE & ASSOCIATES, INC. )  
 )  
Defendant. )

No. 3:06 CV 202HTW -JOS

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**RULE 41(A) STIPULATION OF DISMISSAL WITH PREJUDICE**

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Metal Sales Manufacturing Corporation and Werne and Associates, Inc., the only parties to the above - styled action, hereby stipulate that this action should be dismissed with prejudice, and that each party bear its own costs.

Respectfully submitted,

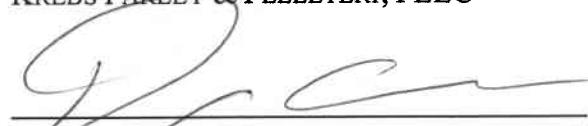
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